

WEATHER REPORT

Fair tonight and tomorrow.

COUNTY OFFICIAL PAPER.

VOL. 22.

PENDLETON, OREGON, TUESDAY, DECEMBER 21, 1909.

Calling cards, wedding stationery, commercial stationery and job printing to order at the East Oregonian.

CITY OFFICIAL PAPER.

NO. 6777

THE INTERSTATE COMMERCE COMMISSION MAKES REPORT

WANTS MORE CONTROL

Points Out Urgent Need of Physical Valuation of Interstate Railways.

Some Means Must Be Furnished to Uphold Rulings of Commission—Also Necessary That Railroads Be Prevented from Changing Regulations Pending Investigation—Railroads still Discriminate—Over \$300,000 Collected in Fines.

Washington, Dec. 21.—In enumerating certain amendments to existing law which it deems desirable, the interstate commerce commission in its annual report made public today places foremost the urgent need of a physical valuation of the interstate railways of the country. In this connection the report says that if rates established by the commission are to be successfully defended when attacked by the carriers, some means must be furnished by which, within reasonable limit a value can be established which shall be binding upon the courts and the commission. The report also urges that some method be provided by which railroads can be prevented from advancing their rates or changing their regulations and practices to the disadvantage of the shipper pending an investigation into the reasonableness of the proposed changes.

The need of control over railway capitalization is again urged upon the attention of congress as a subject constantly increasing in importance.

Referring to the adoption by the national association of railway commissioners of a uniform code of car demurrage rules, the report says that it is estimated that the general enforcement of these rules will be equivalent to the addition of 100,000 cars to the country's available car supply and that, incidentally, many unlawful advantages which powerful shippers have been able to secure through leased car service rules will be remedied.

Over \$300,000 in Fines.

The sum of \$304,223 has been collected during the year in fines for criminal violation of the law by carriers and shippers. These fines followed indictments against carriers for rebating in various forms from published rates and for transporting property without having traffic on file, and indictments against shippers for regular rebates and for mis-billing shipments of property and so securing lower rates. The only indictment against any prominent railroad official during the year was two against the president of the Louisville, Henderson and St. Louis railway, charging him with giving rebates when he was general freight and passenger agent of his road. It is believed that violations of the law are decreasing in number, but there seems to be no decrease in the more insidious forms of rebating resulting from arrangements, legal in every respect except in the result produced.

Carriers Lease to Shippers.

"A number of complaints are in hand," the report says, "concerning the leasing of property by carriers to shippers for a nominal rental, with a further agreement that all shipments made by the lessees shall be routed over the lines of the lessors. The ownership of shipping corporations by carrying corporations, having been held by the supreme court not to be in violation of the commodities clause, still continues and gives rise to many discriminations. It becomes increasingly evident that complete freedom from discrimination can be secured only by a complete separation of the business of transportation from all other business."

Law Circumvented.

"The evil most difficult to detect and prove today are those arising from the identification of ownership of carriers and shippers and those arising from the pretense that services performed by shippers for themselves are in reality services for the carriers to be paid for by the latter. The so-called elevation allowance on grain is a fair example of the arrangements by which services performed by shippers for themselves are pretended to be services for the carriers and paid for as such. The elevation allowances are simply to make a rate upon shipments of grain unloaded into elevators lower than is open to shipments unloaded in any other way."

Recommendation is made for additional legislation to require the railroads to supply such safety appliances as steps, ladders, roof hand-

GENERAL STRIKE WILL BE DECLARED.

Minneapolis, Dec. 21.—More than 2000 freight handlers and railway clerks employed on the railroads of the northwest are to strike in sympathy with the members of the switchmen's union, according to a statement today by H. B. Perham, chairman of the railway department of the American Labor Federation. The proposed strike, it is reported, will extend over the entire territory affected by the switchmen's strike.

holds, running boards and hand brakes and to see that they are maintained in the best possible condition.

Special Report Later.

The commission announces that it will shortly publish a special report of a complete analysis of 2600 companies which, under one form or another, are engaged in moving freight, showing answers to eighty-four specific questions. These questions cover information relative to corporate, physical and operating conditions, industrial and traffic operations, relations with carriers and accounting conditions.

The total mileage owned, including all tracks, for the year 1908 was 333,645 miles. There were 57,699 locomotives, and of cars all classes, 2,244,357. The number of employees was 1,455,244. The number of passengers carried during the year ending June 30, 1909, was 890,999,574 and the number of tons of freight was 1,532,981,790.

The average cost of running a train one mile was \$1.47. The average receipts for passenger service per train mile was \$1.27 and the freight \$2.65.

MADRIZ IS ELECTED TO SUCCEED ZELAYA

CONGRESS PICKS HIM AS HEAD OF NICARAGUA

Vociferous Cheering Greeted An Announcement—Estrada Opposes Selection and Prepares to Contingue Revolution.

Managua, Nicaragua, Dec. 21.—Dr. Jose Madriz, former judge of the central American court of justice at Carriano, and Zelaya's candidate, was yesterday elected president of Nicaragua by the unanimous vote of congress. The session was stormy but perfect unanimity seemed to exist with regard to the election of Madriz and when official announcement was made there were vociferous cheering and cries of "Viva Madriz," "Viva Leon," "Down with monopolies," "Down with tyranny," "Long live the constitution."

Nominations Causes Enthusiasm. The adoption of this report was followed by the election of the new president, the nomination of Dr. Madriz being greeted with much enthusiasm. The strength of his following in the house was attested by the fact that on the call for a standing vote every member rose in the affirmative. The election of Dr. Madriz as chief executive has been expected, for influential delegates strong in his favor have been pouring into Managua from Leon, Chinandega and Granada and they came with the avowed purpose of carrying the candidacy of their man to victory.

Zelaya still exercises a strong power here and, while it has been brought to his notice that Madriz is not looked upon with favor by the government of the United States, he still urges Madriz to the front as his successor in office.

Senator Jones after reading the letter in the senate declared he had no wish to whitewash Ballinger. He said the charges were true Ballinger is unfit to hold office. The people of the state of Washington demand an investigation whether the charges are true or not.

After the matter had been talked over by the cabinet it was determined that the administration will proceed to press an investigation at the request of Ballinger.

21 Degrees Below in Nebraska. Norfolk, Neb., Dec. 21.—The coldest weather of the winter was experienced here this morning when the government thermometer registered 21 degrees below zero.

C. E. Cameron of Echo, is transacting business in Pendleton today.

"WETS" WIN IN TRAIN WRECK WALLA WALLA WAS MIRACLE

Result of Yesterday's Election Declares for Continuance of Saloons.

ONLY ONE PRECINCT IN CITY GOES "DRY"

Great Excitement in Garden City Over Momentous Question—Two Factions Work Hard at Polls—Substantial Majority Accorded to Business Men's Committee—No Disorder Marks Voting—No Special Officers Necessary.

Walla Walla, Dec. 21.—By a sweeping majority of 622, the voters of Walla Walla yesterday ruled that a restricted city was more to be desired than a prohibition community, and the "dry" agitators were put in the "down and out" class by the veritable avalanche of "wet" ballots that came sweeping down upon them shortly after the polls were closed at 7 o'clock last night. All day yesterday the two factions worked like demons to get every qualified elector to the polls, and when the final count was made it was found that 2649 voters expressed their preference. The total registration for the special election was 3235, and the large vote was surprising to many, even to those who were in close touch with the situation.

But one precinct out of the eight was carried by the "dries," and that had been conceded by the "wets," with a larger majority than was recorded. Clarke precinct, with a majority of 67, was captured by the "dry" people, the vote having been 181 in favor of license and 212 opposed. Whitman precinct, which had been conceded to the "dry" faction, went "wet" by a vote of 273 to 257, and the other six rolled up substantial majorities.

No Disorder at Polls.

Although interest in the election was intense throughout the day, as it had been for the past two weeks, little or no disorder marked the event, and the police were not called upon to quell any disturbances. Every member of the two factions was in the fight to win the victory, but even though heated arguments were in order all day yesterday, the debaters kept their heads and the election passed off much more calmly than had been expected. Chief Davis refused to accept special officers into service for the occasion, saying the city was deeply enough in debt and that those who were indiscreet enough to indulge in pugilistic encounters might like the consequences. His position was well taken, for later developments proved that, although Walla Walla voters were vitally interested, they did not propose to disgrace the city by unseemly conduct at the polls.

The results follow:

Precinct	For	Against	Total	Reg.
Clarke	181	248	429	512
Leah	231	154	385	456
Stevens	221	103	324	357
Stimson	152	64	216	260
Whitman	273	257	530	605
Steeple	77	55	132	155
Freemont	294	81	375	379
Mullan	102	47	149	206
Totals	1631	1009	2640	3235

SACRIFICE OF SKIN DOES NOT SAVE MAN

Walla Walla, Dec. 21.—Red Cross, who was terribly burned here October 23 by falling on the wires of the Northwestern corporation station, died this morning of his wounds. He made a great fight. Physicians grafted on 300 inches of skin donated by 350 persons.

Details of Runaway Train Show it to be One of Most Lucky in History.

SEVEN MEN ABOARD AND NO LIVES LOST

Providence Seemed to Be With Men and Animals for Cars Smashed Not One in Which They Were Riding Was Included—Two Save Lives by Leaping from Train—Men Who Remained With Train Entirely Unaware of Runaway.

As the details of yesterday's remarkable freight train wreck on the mountain came in, it becomes more and more evident that the wreck was one of the most freakish and lucky in the history of transportation in the west. With seven men scattered at different points on the train, with six cars of livestock and with nearly every other car in the train smashed to kindling wood and the only life lost, that of a cow, railroadmen will never cease wondering at the marvel.

Four of the seven men in the wreck were in a construction car near the middle of the train. They did not know they were in a wreck until their car struck the bank and rolled over on its side without doing any more damage than to be set on fire by an oil can which rolled across the floor and struck the car. The car just behind them was smashed to kindling wood.

Leap Saves Life.

The latter was a paint car and when the train started from Kameh it was occupied by the company's painter. Seeing that the train was running away without an engine he made a flying leap before the runaway had proceeded more than half a mile. He escaped with nothing more serious than a few bruises, though he rolled for a considerable distance through the snow. Had he stayed with the car, instant death would have been his portion.

One other man missed the wild ride, that man being the owner of some of the stock which made up a part of the train's load. Surprised at the ease and rapidity with which the train started off he became suspicious and yelled at a surprised looking Greek who stood beside the track and asked if there was an engine fastened to the train. As the Greek shook his head in a puzzled sort of way he lost no time in leaping. Fortunately, he, too, landed in a snowbank and escaped without injury.

Curse Engineer for Recklessness. Two other stockmen were in the caboose and they stayed with the train throughout the wild ride and like the four other men, they did not know they were in a runaway, but, like the others, were cursing the engineer for being so reckless.

The seventh man is said to have been a tramp who was well up near the front of the train. Cars on all sides of his went into the canyon or were smashed to pieces. How he escaped unscathed is one of the miracles which will always remain unexplained.

Passenger's Narrow Escape.

The wild dash down the mountain started from the summit as was stated yesterday. Passenger train No. 10 met the freight at that point and by that narrow margin, it missed destruction. Had they been scheduled to meet at Meacham the worst wreck and greatest loss of life in the history of the road would undoubtedly have occurred.

Just after the passenger passed, the engine was detached to coal and the entire crew of the train was either with the engine at the bunkers or in

Continued on Page Ten

DR. FREDERICK A. COOK DID NOT DISCOVER NORTH POLE

FRISCO BANDIT ENDS LIFE UNDER WHEELS

San Jose, Cal., Dec. 21.—Dr. Edward H. Gleason and Dr. T. M. Bottson of the Gleason-Courtenay drug store of San Francisco, today positively identified the body of former bandit Walter R. Jarrell, as the murderer who successfully defied the police and conducted a sensational career of crime in San Francisco during the last few weeks. Both Gleason and Bottson saw the bandit on the occasion of his two visits to their store, Gleason having been the first person known to have been held up and robbed by the man. Carroll was killed by a train here last Friday.

Carroll committed suicide here last Friday night by hurling himself beneath the wheels of a Southern Pacific train. He first came into prominent public notice in September when his wife shot herself after a domestic quarrel. The coroner's jury returned a verdict of suicide. Shortly afterward Carroll resigned from the police force in which he had served as a mounted patrolman and dropped out of sight.

DECLARES SOCIALIST A MALE SUFFRAGIST

London.—Marie Corelli has issued a manifesto to the electors of the United Kingdom in view of the coming election. She denounced socialism, saying the very life of the land is in the balance and the empire is standing like a victim on the rock of suspense waiting to be hurled down into the water of socialism or rescued and led back to the security of home with peace and honor.

A socialist Miss Corelli describes as a "kind of male suffragette, seeking to upset the laws of nature in order that he may assert himself as superior to nature."

CONGRESS TO PROBE BALLINGER AFFAIRS

DECISION WAS REACHED IN TODAY'S SESSION

Senator Flint Eschings Matter to Crisis by Resolution Which Was Adopted—Taft Must Turn Over All Reports—Ballinger Courts Investigation.

Washington, Dec. 21.—It was finally determined today that there shall be a congressional investigation of the so-called Ballinger-Pinchot controversy. Senator Flint today introduced a resolution which was adopted, which calls upon President Taft to turn over to congress all reports and statements purporting to contain charges made by L. R. Glavis, former chief of the field division of the land office against Secretary of the Interior R. A. Ballinger. After the resolution was adopted, Senator Jones of Washington, read before the senate a letter from Ballinger demanding in strong terms a thorough investigation of his department, and of the forest service. Senator Jones also declared he would offer a resolution calling for an investigation immediately after the holidays.

Estrada Again Marches.

Bluefields, Nicaragua, Dec. 21.—Reports from Rama today say that Estrada's army is advancing against General Vioque just outside of Rama and that a battle is expected immediately. This is the first decisive move on the part of the revolutionaries against the election of Madriz as successor to President Zelaya.

EIGHTEEN LIVES WERE LOST IN LONDON FIRE

London, Dec. 21.—It was definitely stated today that eighteen persons lost their lives in a fire which destroyed the great Arling Hobbs store at Clapham suburbs at noon yesterday. Eight bodies have been recovered and ten other persons are missing and it is held unlikely they are buried in the store ruins.

Yokel Defeats O'Connell.

Salt Lake, Utah, Dec. 21.—Mike Yokel of Salt Lake took two straight falls in his wrestling match with E. J. O'Connell of Portland last night. The first fall took 90 minutes, but Nelson and leg locks; the second three minutes, reverse arm hold. O'Connell proved himself very clever but was not so strong as Yokel.

COMMITTEE REPORTS

Brooklyn Doctor's Claim Flatly Repudiated by Eminent Danish Savants.

Committee Officially Reports His Data Insufficient—No More Convincing Than Newspaper Account—Observations Were No Observations at All—His Appeal Disregarded—Danes Feel Action Keenly.

Copenhagen, Dec. 21.—The committee which has been investigating the data of Dr. Frederick A. Cook today officially reported to the consistory of the University of Copenhagen that Dr. Cook's records and observations are wholly insufficient to warrant a verdict that he discovered the north pole.

The consistory of the university adopted the report of the committee, thereby flatly rejecting Dr. Cook's claims, and throwing out the records and observations. Cook's data, according to report, is no more convincing than a newspaper account. His private secretary, Lonsdale, who represented the explorer here, is bitterly disappointed. He is making an effort to induce the consistory to withhold final judgment until the whole of Cook's data can be presented to it. Lonsdale told the committee that the missing data, which is part of Dr. Cook's original documents, was sent here from America by a route different from that which the records already examined here were brought. He said the additional data arrived a few days ago. The secretary said the method of sending the data by two different routes was adopted for protection purposes. The consistory refuses to pay any attention to Lonsdale's appeal, and the finding announced today is final as far as the consistory is concerned.

Blow to Danes.

The discrediting of Dr. Cook is a severe blow to Danish scientists who had firmly given him support under Commander Peary's charges. The great reception given Dr. Cook upon his arrival here, the honors paid him by high and low, including the king, are recalled somewhat openly. It is known that Danish experts were personally inclined to favor Dr. Cook, most of them having come out with statements to substantiate his claims. Therefore the absolutely flat decision against him is all the more convincing. It is believed if the data recorded had have provided grounds upon which the scientists could have established a reasonable basis for claiming the Brooklyn explorer really reached the pole, this claim would have been upheld as long as possible. The committee consisted of the following world's renowned scientists: Prof. Ellis Stromgren, Commander Gustav Holm, director of the hydrographic bureau, Commander Jensen, director of navigation, Astronomer Pechyle of the University of Copenhagen, Captain Ryder of the meteorological institute, and Prof. Land of the University of Sweden.

A member of the committee said: "It took the committee but a few minutes to see that Dr. Cook's observations and so-called records were worthless. We would have reported immediately but it took several days for us to recover from the surprise. The so-called notebooks upon which Cook relied to a great extent for his vindication, had only accounts of his observations rather than the observations themselves. These notebooks were thrown aside without a moment's consideration. I cannot understand how a man of Cook's reputed scientific attainments could have attempted to bolster up his claim with them."

"I Told You So," Says Peary.

Washington, Dec. 21.—When shown today's dispatch from Copenhagen, Commander Peary said: "Three months ago from Labrador I sounded explicitly and deliberately a warning to the world based upon complete and accurate information regarding the claims of Cook. In doing so I accepted the responsibility devolved on me to fulfill a duty to the world, and myself."

Glad Danes Found Rottenness. Brooklyn, N. Y., Dec. 21.—"Well, I'm glad the Danes have found the rottenness in Denmark, anyway." Thus Herbert Bridgeman, secretary of the Peary Arctic club, commented on the action of the Copenhagen scientists in rejecting Cook's claim to the discovery of the pole.

Klamath Falls is to have a shoe factory.